

DISPOSITION: June 8, 1953. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution, for use as animal feed.

20476. Adulteration and misbranding of canned black-eyed peas. U. S. v. 296 Cases, etc. (F. D. C. No. 34787. Sample Nos. 53615-L, 53616-L.)

LIBEL FILED: On or about April 9, 1953, Western District of Missouri.

ALLEGED SHIPMENT: On or about February 10, 1953, by the Good Canning Co., from Fort Smith, Ark.

PRODUCT: 296 cases, each containing 24 cans, and 146 cases, each containing 24 cans, of black-eyed peas at Springfield, Mo.

LABEL, IN PART: (Can) "Contents 1 Lb. 0 Oz. G. D. M. Brand Fresh Shelled Blackeye Peas" or "Contents 1 Lb. 3 Oz. G. D. M. Brand Fresh Shelled Blackeye Peas."

NATURE OF CHARGE: Adulteration (146-case lot), Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of worms.

Misbranding (296-case lot), Section 403 (e) (2), the article failed to bear a label containing an accurate statement of the quantity of the contents since the label statement "Contents 1 Lb. 0 Oz." was inaccurate. (Examination showed that this lot was short weight.)

DISPOSITION: On June 16, 1953, the Good Canning Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the 296-case lot of the product be released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration. This lot of the product was relabeled. In July 1953, the court entered an order directing that the 146-case lot be destroyed.

20477. Adulteration of canned black-eyed peas. U. S. v. 26 Cases * * *. (F. D. C. No. 34737. Sample Nos. 29388-L, 29691-L.)

LIBEL FILED: March 6, 1953, Western District of Washington.

ALLEGED SHIPMENT: On or about December 3, 1952, from Fort Smith, Ark., by the Good Canning Co.

PRODUCT: 26 cases, each containing 24 15-ounce cans, of black-eyed peas at Seattle, Wash.

LABEL, IN PART: (Can) "Dependable Brand * * * Fresh Shelled Blackeye Peas."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of larvae.

DISPOSITION: May 18, 1953. Default decree of condemnation and destruction

20478. Adulteration of kosher style gherkins. U. S. v. 198 Cases * * *. (F. D. C. No. 34927. Sample No. 45174-L.)

LIBEL FILED: March 31, 1953, District of Massachusetts.

ALLEGED SHIPMENT: On or about July 30, 1952, by the Original Canning Co. from Brooklyn, N. Y.

PRODUCT: 198 cases, each containing 12 1-quart jars, of kosher style gherkins at Worcester, Mass.

LABEL, IN PART: (Jar) "Lush'us Kosher Style Gherkins."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article was unfit for food by reason of the presence of dirt and grit.

DISPOSITION: August 6, 1953. Default decree of condemnation and destruction.

20479. Adulteration of canned sauerkraut. U. S. v. 70 Cases * * *. (F. D. C. No. 34745. Sample No. 34559-L.)

LIBEL FILED: March 19, 1953, Southern District of Illinois.

ALLEGED SHIPMENT: On or about January 5, 1953, by the Green Bay Food Co., from Green Bay, Wis.

PRODUCT: 70 cases, each containing 24 1-pound cans, of sauerkraut at Peoria, Ill.

LABEL, IN PART: (Can) "L'Art Brand Northern Grown Sauer Kraut."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: April 15, 1953. Default decree of condemnation and destruction.

20480. Adulteration of vegetable juice. U. S. v. 158 Cases, etc. (F. D. C. No. 34941. Sample No. 73056-L.)

LIBEL FILED: April 13, 1953, District of New Jersey.

ALLEGED SHIPMENT: On or about March 2, 1953, from Scranton, Pa., by Carl Krauth, trading as the Kay Fruit Co.

PRODUCT: 158 cases, each containing 12 No. 3 cans, and 1 case, containing 24 No. 2 cans, of vegetable juice at Gloucester, N. J.

LABEL, IN PART: (Portion of cans) "V-8 Cocktail Vegetable Juices Contents 1 Qt. 14 Fl. Oz. [or "Contents 1 Pt. 2 Fl. Oz."] * * * Packed By Standard Brands Incorporated New York, N. Y."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance, and it was otherwise unfit for food by reason of the presence of pieces of lacquer peeled from the inner coating of the cans.

DISPOSITION: May 15, 1953. Default decree of condemnation and destruction.

TOMATOES AND TOMATO PRODUCTS

20481. Misbranding of canned tomatoes. U. S. v. 746 Cases * * *. (F. D. C. No. 34959. Sample No. 51642-L.)

LIBEL FILED: April 20, 1953, District of New Jersey.

ALLEGED SHIPMENT: On or about March 31, 1953, by H. P. Tull & Co., from Kingston, Md.

PRODUCT: 746 cases, each containing 24 1-pound, 3-ounce cans, of tomatoes at Hawthorne, N. J.

LABEL, IN PART: (Can) "Iona Tomatoes."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the quality of the article fell below the standard of quality for canned tomatoes because of excessive peel, and the label failed to bear a statement that the article fell below the standard.

DISPOSITION: May 19, 1953. H. P. Tull & Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court